IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Jitender Kumar Khurana Vs. State of Rajasthan & Ors.

S.B.CIVIL WRIT PETITION NO.221/2005

DATE OF ORDER :: February 26, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.K.S.Yadav, for the petitioner.
Mr.B.L.Tiwari, Dy.G.A.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner has challenged the order Annexure-P/3 dt. 3.1.2005, by which the petitioner has been placed under suspension.

I have heard learned counsel for the parties.

The only point argued by the learned counsel for the petitioner is that the order Annexure-P/3 has been issued by an incompetent authority and therefore, it is illegal.

Learned Deputy Government Advocate appearing for the State filed an additional affidavit and placed on record Annexure-R/R/1 by which the post of Commissioner, Panchayati Raj Department has been upgraded to the post of ex-officio Special Secretary to Government, Rajasthan, Jaipur and, therefore, the Deputy Government Advocate submits that the Commissioner, Panchayati Raj Department is a competent authority to place the petitioner under suspension.

On perusal of the order Annexure-R/R/1, it is clear that the post of Commissioner, Panchayati Raj Department has been upgraded to the post of ex-officio Special Secretary to Government, Rajasthan, Jaipur.

In this view of the matter, the writ petition has no force and the same is hereby dismissed. Ad interim stay order dt. 13.1.2005 is vacated. Stay petition also stands dismissed.

There shall be no order as to costs.

[H.R.PANWAR],J.

m.asif/-